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ATTORNEY FOR MR. JAMES KINNEY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES KINNEY,

Defendant.

Case No.: 2:09-CR-132-JAD-(GWF)

**STIPULATION AND ORDER TO
CONTINUE SENTENCING HEARING**

IT IS HEREBY STIPULATED AND AGREED by and between Defendant, JAMES KINNEY, by and through his counsel, TODD M. LEVENTHAL, ESQ., and the United States of America, by its counsel, TONY LOPEZ, Assistant U.S. Attorney, that the Sentencing Hearing in the above-captioned matter currently set for Monday, September 17, 2018 be re-set for at the courts convenience.

This Stipulation is entered into for the following reasons;

1. Mr. Leventhal needs additional time to discuss pre-sentencing issues with Defendant JAMES KINNEY.

2. Mr. Leventhal has spoken to TONY LOPEZ, Assistant United States Attorney, and he has no objection to this continuance.

3. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

1 DATED this 13th day of September, 2018.

2 /s/ Todd M. Leventhal, Esq.

/s/ Tony Lopez, Esq.

3 TODD M. LEVENTHAL, ESQ.

TONY LOPEZ, ESQ.

4 Counsel for James Kinney

Assistant U.S. Attorney

8 Submitted by: LEVENTHAL & ASSOCIATES, PLLC

9 /s/ Todd M. Leventhal, Esq.

10 Todd M. Leventhal, Esq.

11 Nevada Bar: 8543

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16 *ATTORNEY FOR MR. JAMES KINNEY*

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 JAMES KINNEY,

7 Defendant.

Case No.: 2:09-CR-132-JAD-(GWF)

8 **FINDINGS OF FACT**

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10 Based on the stipulation of counsel, and good cause appearing, the Court finds that:

11 1. Mr. Leventhal needs additional time to discuss pre-sentencing issues with Defendant
12 JAMES KINNEY.

13 2. Mr. Leventhal has spoken to TONY LOPEZ, Assistant United States Attorney, and he
14 has no objection to this continuance.

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16 3. Additionally, denial of this request for a continuance could result in a miscarriage of
17 justice.

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DATED this 14th day September, 2018.

CERTIFICATE OF SERVICE

/s/ Kimberly King
An Employee of TODD M. LEVENTHAL, ESQ.
LEVENTHAL AND ASSOCIATES, PLLC.